

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. 039		3. EFFECTIVE DATE See Block 16C		4. REQUISITION/PURCHASE REQ. NO. 09FE006166	
5. PROJECT NO. (If applicable)		6. ISSUED BY CODE 01601		7. ADMINISTERED BY (If other than Item 6) CODE 01601	
SPRO US DEPARTMENT OF ENERGY SPRO 900 COMMERCE ROAD EAST US 492 NEW ORLEANS LA 70123		SPRO US DEPARTMENT OF ENERGY SPRO 900 COMMERCE ROAD EAST US 492 NEW ORLEANS LA 70123			
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) DELTHA-CRITIQUE JOINT VENTURE ATTN EARL WASHINGTON 900 COMMERCE ROAD EAST NEW ORLEANS LA 70123		(x) 9A. AMENDMENT OF SOLICITATION NO. 9B. DATED (SEE ITEM 11) X 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC96-06P092716 10B. DATED (SEE ITEM 11) 08/11/2006			
CODE 128204208		FACILITY CODE			

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required) Net Increase: \$238,785.00
See Schedule

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Various Clauses listed below and Mutual Agreement of the Parties
	D. OTHER (Specify type of modification and authority)

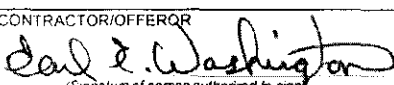

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Bilateral modification pursuant to the authority of clauses H.7 Ordering Procedures, I.28 FAR 52.216-7 - Allowable Cost & Payment, and I.66 FAR 52.232-22 - Limitation of Funds.

The purpose of this modification is to revise the Estimated Costs and Base Fee for the 3rd Year Base Award to incorporate the task entitled "Independent Review of MPAR Program" and to provide incremental funding for the task. As a result the following changes are incorporated.
Continued ...

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) Earl Washington, President		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Joyce B. Francois	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED 7/28/09	16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED 7/29/09

CONTINUATION SHEET	REFERENCE NO. OF DOCUMENT BEING CONTINUED DE-AC96-06PO92716/039	PAGE OF 2 2
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NAME OF OFFEROR OR CONTRACTOR

DELTA-CRITIQUE JOINT VENTURE

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>Reference Section B., B.4 - Estimated Cost and Fee: The Estimated Costs for the 3rd Year Base Award has been increased by \$227,414 from \$3,274,741 to \$3,502,155, increasing the Total Base Period Estimated Costs to \$8,704,612. The Base Fee for the 3rd Year Base Award has been increased by \$11,371 from \$21,154 to \$32,525 increasing the Total Base Period Base Fee to \$44,373. Total Costs and Fee(s) for the Base Period have been increased by \$238,785 from \$9,051,753 to \$9,290,538. The Total Contract Value, inclusive of unexercised options, is increased by \$238,785 from \$15,216,233 to \$15,455,018.</p> <p>Reference Section B., B.5 - Obligation of Funds: The amount of funds obligated are increased by \$238,785 for payment of subcontract costs and base fee associated with the task entitled "Independent Review of MPAR Program". The total available funds are increased by \$238,785 from \$8,982,569 to \$9,221,354. (Revised Section B page attached).</p> <p>Subj to Retent: N Account code: I012 Fund 00400 Appr Year 2009 Allottee 37 Reporting Entity 450204 Quantity: 0 Amount: \$238,785.00 Percent: 100 Subject To Funding: N Payment Address:</p> <p>FOB: Destination Period of Performance: 11/01/2006 to 10/31/2009</p>				

Section B.4 is modified to read as follows:

B.4 ESTIMATED COST AND FEE

a. The estimated cost (includes total available fee) for this contract is as follows:

ESTIMATED COSTS AND FEE(S)							
Estimated Costs and Fee(s)	1st Year Base Award 11/01/06 through 10/31/07	2 nd Year Base Award 11/01/07 through 10/31/08	3 rd Year Base Award 11/01/08 through 10/31/09	Total Base Period 11/01/06 through 10/31/09	Option Year 1 11/01/09 through 10/31/10	Option Year 2 11/01/10 through 10/31/11	Total Contract Value
Estimated Costs	\$2,477,024	\$2,725,433	\$3,502,155	\$8,704,612	\$2,846,024	\$2,911,159	\$14,461,795
Base Fee	\$4,160	\$7,688	\$32,525	\$44,373	\$5,616	\$5,586	\$55,575
Performance Fee	\$167,816	\$178,178	\$195,559	\$541,553	\$195,848	\$200,247	\$937,648
Total Fee Available	\$171,976	\$185,866	\$228,084	\$585,926	\$201,464	\$205,833	\$993,223
Total Costs and Fee(s)	\$2,649,000	\$2,911,299	\$3,730,239	\$9,290,538	\$3,047,488	\$3,116,992	\$15,455,018

b. The estimated cost for the ~~Phase In~~ period is \$ 00. There will be no fee paid for the Phase In period.

c. The total estimated cost of this contract for the Base Period is increased by \$227,414 from \$8,477,198 to \$8,704,612. The Base Fee for the Base Period is increased by \$11,371 from \$33,002 to \$44,373. The Performance Fee for the Base Period remains \$541,553. The total cost and fee(s) for the base period are increased by \$238,785 from \$9,051,753 to \$9,290,538. The Total Contract Value, inclusive of unexercised options, is increased by \$238,785 from \$15,216,233 to \$15,455,018.

B.5 OBLIGATION OF FUNDS - The amount of funds obligated are increased by \$238,785 for payment of allowable costs/fees associated with the task entitled, "Independent Review of the MPAR Program". The total available funds are increased by \$238,785 from \$8,982,569 to \$9,221,354.